

60,130-1951; 03MRA0484

**IN THE CLAIMS**

Please cancel claims 2 and 14 and add new claims 19-22.

1. (Currently Amended) A drive axle assembly for a vehicle comprising:  
an input to be operably coupled to a power source;  
at least one axle shaft driven by said input;  
an axle housing substantially enclosing said at least one axle shaft;  
at least one wheel end including a gear set driven by said at least one axle shaft wherein said gear set is substantially enclosed within a gear housing; and  
a pumping mechanism driven by said at least one axle shaft wherein said pumping mechanism includes an impeller shaped as an auger and mounted for rotation with said at least one axle shaft wherein said impeller pumps a lubricating fluid from a first predetermined fluid level in said axle housing to a second predetermined fluid level in said gear housing, said second predetermined fluid level being vertically higher than said first predetermined fluid level.
2. (Cancelled)
3. (Currently Amended) The drive axle assembly of claim 2-1 wherein said impeller includes a tube portion and a plate portion attached to said tube portion.
4. (Currently Amended) The drive axle assembly of claim 3 wherein said plate portion is shaped as an said auger.

60,130-1951; 03MRA0484

5. (Original) The drive axle assembly of claim 3 wherein said plate portion is welded to an outer circumferential surface of said tube portion.
6. (Currently Amended) The drive axle assembly of claim 3 wherein said tube portion is press-fit onto said at least one axle shaft.
7. (Currently Amended) The drive axle assembly of claim 3 wherein said plate portion comprises a circular disc with a center opening for receiving said tube portion, said circular disc having a first radially extending edge positioned at a first location on said tube portion and a second radially extending edge positioned at a second location on said tube portion laterally spaced from said first location to define a fluid flow path.
8. (Currently Amended) The drive axle assembly of claim ~~7~~1 including an impeller housing portion laterally positioned between said axle housing and said gear housing, said impeller housing portion defining a cylindrical cavity that receives said ~~rotating~~ impeller.
9. (Currently Amended) The drive axle assembly of claim 8 including an end plate laterally positioned between said impeller housing portion and said gear housing, said end plate including a fluid port in fluid communication with a gear cavity defined within said gear housing.

60,130-1951; 03MRA0484

10. (Currently Amended) The drive axle assembly of claim 9 wherein said fluid port is generally positioned at said second predetermined fluid oil level.

11. (Currently Amended) The drive axle assembly of claim 9 wherein said impeller pumps said lubricating fluid from said axle housing through a said fluid flow path defined by said impeller and into said cylindrical cavity to create a fluid dam.

12. (Original) The drive axle assembly of claim 9 wherein said end plate includes an overflow port that is positioned vertically higher on said end plate than said fluid port.

13. (Currently Amended) A method for maintaining a dual fluid level in a drive axle assembly comprising the steps of:

- (a) driving an axle shaft with a power source;
- (b) substantially enclosing the axle shaft within an axle housing;
- (c) driving a wheel end gear set with the axle shaft;
- (d) substantially enclosing the wheel end gear set within a gear housing; and
- (e) mounting an impeller shaped as an auger for rotation with the axle shaft and  
pumping lubricating fluid with the auger from a first fluid level in the axle housing to a second fluid level in the gear housing where the second fluid level is different than the first fluid level.

14. (Cancelled)

60,130-1951; 03MRA0484

15. (Currently Amended) The method of claim ~~14~~ 13 including the steps of positioning an impeller housing laterally between the axle housing and the gear housing and mounting the impeller for rotation within the impeller housing.

16. (Currently Amended) The method of claim 15 including the step of varying the fluid flow rate from the axle housing to the gear housing by varying a ~~the~~ lateral position of the impeller within the impeller housing.

17. (Currently Amended) The method of claim 15 including the steps of ~~forming the impeller with an auger shape, pumping fluid with the auger from the axle housing through the auger and~~ into the impeller housing, damming fluid within the impeller housing to raise the fluid level up to the second fluid level, and transferring fluid from the impeller housing into the gear housing via a port formed in a wall of the impeller housing when the fluid reaches the second fluid level.

18. (Original) The method of claim 13 including the step of positioning the second fluid level vertically higher than the first fluid level.

19. (New) The drive axle assembly of claim 1 wherein said at least one axle shaft comprises first and second axle shafts, and said at least one wheel end includes a first wheel end driven by said first axle shaft and a second wheel end driven by said second axle shaft, and wherein said auger comprises a first auger mounted to said first axle shaft to pump lubricating fluid from said

60,130-1951; 03MRA0484

axle housing to lubricate said first wheel end and a second auger mounted to said second axle shaft to pump lubricating fluid from said axle housing to lubricate said second wheel end.

20. (New) A drive axle assembly for a vehicle comprising:

first and second axle shafts coupled to a differential assembly;

an axle housing substantially enclosing said first and second axle shafts;

a first wheel end including a first gear set driven by said first axle shaft wherein said first gear set is substantially enclosed within a first gear housing;

a second wheel end including a second gear set driven by said second axle shaft wherein said second gear set is substantially enclosed within a second gear housing; and

a pumping mechanism including a first impeller driven by said first axle shaft to pump a lubricating fluid from a first predetermined fluid level in said axle housing to a second predetermined fluid level in said first gear housing, and a second impeller driven by said second axle shaft to pump the lubricating fluid from said first predetermined fluid level in said axle housing to a second predetermined fluid level in said second gear housing, said second predetermined fluid level in said first and second gear housings being different than said first predetermined fluid level.

21. (New) The drive axle assembly according to claim 20 wherein said first and said second impellers are shaped as augers.

60,130-1951; 03MRA0484

22. (New) The drive axle assembly according to claim 20 including a first impeller housing positioned between said first gear housing and said axle housing, said first impeller housing defining a first cavity for receiving said first impeller, and including a second impeller housing positioned between said second gear housing and said axle housing, said second impeller housing defining a second cavity for receiving said second impeller.